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TRADE AND DEVELOPMENT BOARD
Commission on the Trade in Goods and Services
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Expert Meeting on Consumer Interests, Competitiveness
Competition and Development
Geneva, 17-19 October 2001

RECOMMENDATIONS

of the
Asia-Pacific Regional Seminar on New Dimensions of Consumer Protection in the Era of Globalization

Held in Goa, India,
from 10 to 11 September 2001

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Introduction

The Asia-Pacific Regional Seminar on New Dimensions of Consumer Protection in the Era of Globalization was organized by UNCTAD, Consumers International (CI) and the Consumer Unity and Trust Society (CUTS) at Goa, India, on 10 to 11 September 2001. The Seminar was held in the context of the implementation of the UNCTAD X Plan of Action and the resolution adopted by the Fourth UN Conference to Review All Aspects of the UN Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices. It was attended by representatives of consumer organizations from several countries of the region, including Australia, Bangladesh, China, Fiji, India, Indonesia, Malaysia, Mongolia, Nepal, Pakistan, Sri Lanka, Thailand, and Viet Nam.

The Minister of State for Consumer Affairs, Food and Public Distribution of India, Mr. V. Sreenivasa Prasad, addressed the Seminar at its closing session. The Seminar then adopted the recommendations set out below, in the form of the Goa Declaration.

Goa Declaration

1. Taking into account the crucial importance of:

   (a) the goals of satisfying the basic human needs of all members of society, particularly the rural and underprivileged sections of the population;

   (b) the need to promote the convergence of consumer and environmental concerns;

   (c) support for national and regional efforts to document non-formal traditional knowledge for promoting sustainable production and consumption; and

   (d) efforts aimed at reducing inequity and enhancing efficiency, including through the adoption of competition rules;

the meeting agreed that properly implemented competition and consumer policies can make a key contribution to competitiveness and sustainable development.

Recommendations

2. The meeting accordingly tabled the following recommendations for consideration at the Expert Meeting on Consumer Interests, Competitiveness, Competition and Development (Geneva, 17-19 October 2001):

(a) UNCTAD should strengthen its institutional machinery to promote consumer interests, to monitor implementation of the UN Guidelines on Consumer Protection and to consider their extension, taking into account recent developments in globalization and advances in information technology. Such machinery should consider:

(i) Undertaking studies on:

(a) Possible competition abuses in the area of patenting and licensing of pharmaceuticals, food and biotechnology products and agro-inputs; and

(b) The impact of trade agreements and global business behaviour on consumers and small-scale food producers;

(ii) Helping to set up legal advice and research facilities to strengthen consumer groups' preparation and submission of amicus curae briefs at the multilateral trade dispute settlement forum and to provide and/or or support specialized legal training to interpret international agreements;

(iii) Promoting exchange of information and transparency at corporate, governmental and international levels;

(iv) Making proposals with a view to ensuring that products derived from indigenous knowledge should remain in the public domain and that disclosure of the source of a patented product is made mandatory in order to stem bio-piracy; and

(v) Promoting capacity-building by helping developing countries, upon request, to adopt or reform consumer protection and competition laws and by organizing workshops and seminars in developing countries to promote the UN Guidelines on Consumer Protection and their implementation.

(b) Work aimed at extending the UN Guidelines on Consumer Protection should lead to, or better take into account:

(i) An assessment of how the interests of consumers are considered in existing or possible future international agreements, particularly trade agreements;

(ii) The widening of the focus from consumer needs to an approach based upon citizen-consumer rights and the responsibilities of producers and suppliers of goods and services;

(iii) The need to strengthen consumer protection agencies and NGOs in developing countries in their efforts to help national Governments to develop informed decisions;

(iv) The importance of consumer protection for equity, social justice and economic efficiency, and of ensuring that consumer and competition law implementation and enforcement are achieved in a manner that gives effect to both these objectives;

(v) Recognition of the wide potential to utilize information technology to further social development, to disseminate information, and to reduce information gaps and asymmetries between producers and consumers;

(vi) International mechanisms for consumer protection, including in relation to cross-border transactions, cross-border fraud, e-commerce, etc;

(vii) Promotion of regional co-operation towards capacity-building, quality control of imported food and pharmaceutical products and implementation and enforcement of agreements;

(viii) Incorporating consumer views and interests, especially those of women, in all levels of policy-making and decision-making processes, through specific channels and mechanisms, including participation in decision-making;

(ix) Ensuring adequate resources and independence for consumer protection, competition and regulatory authorities;

(x) Giving priority to clean water and sanitation, nutrition, food security, food safety, access to essential health care supplies and services, including alternative and indigenous medicines which are safe and of good quality, education, transportation, energy, and housing;

(xi) Enhancing consultations with civil society on trade agreements, as well as studying and disseminating information on the implications of trade agreements;

(xii) Ensuring transparency of information by businesses about their products;

(xiii) Providing an enabling environment for consumer associations to build a critical mass;

(xiv) Ensuring that means of communication between UN organizations and consumers are developed to reach the grass-roots level, in particular with respect to the implications of globalization;

(xv) Creating and promoting partnerships and linkages between rural and urban consumers.